

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

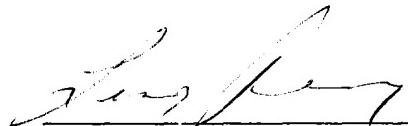
LEROY RILEY )  
Plaintiff ) Civil Action No. 05-172 Erie  
)  
v. )  
CHARLES SIMPSON, et al., )  
Defendants )  
)

NOTICE OF APPEAL

Notice is hereby given that Leroy Riley plaintiff in the above entitled matter appeal is to the United States Court of appeals for the 3rd Circuit from an Order, to dismiss the plaintiff Complaint for failing to object to magistrate findings within (10) ten days, entered in this action on the 16th and the 22nd day of August, 2006 [Doc#27and22]; also from an Order "Denied" Motion for consideration, entered in this action on the 5th day of September, 2006 [Doc# 31].

Date:

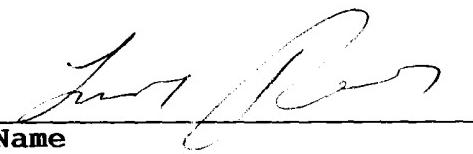
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pro see petitioner

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CLERK U.S. DISTRICT COURT

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury  
the foregoing is true and correct.

Date: 9/16/06

  
Tom Ror  
Name

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the within was served upon the following via first class mail:

OFFICE OF ATTORNEY GENERAL  
6<sup>th</sup> Floor, Manor Complex  
564 Forbes Avenue  
Pittsburgh, PA 15219

(412) 565-5696

Date: May 12, 2006

Date 9/18/06  
*Karen R.*  
Pro se Petitioner